REMARKS

Reconsideration of the rejected claims in view of the following remarks is respectfully requested.

Rejections under 35 U.S.C. § 102(b)

The Office Action rejects claims 1-9 under 35 U.S.C. §102(b) as being anticipated by International Patent Application Publication No. 2003/087856 (hereinafter the '856 publication, which was cited in the Information Disclosure Statement dated and November 28, 2006 is commonly assigned with the present application). Applicants respectfully traverse the rejection.

Initially, Applicants note that the claims recite (using claim 1 as a non-limiting example):

A network analyzer comprising:
    a measuring system error factor recorder that records a measuring system error factor generated independently of a frequency conversion by a device under test;
    a correction coefficient outputter that outputs measured first coefficients and second coefficients of a correction frequency converting element wherein a signal output from one terminal is represented as a sum of a product of a signal input to the terminal and the first coefficient and a product of a signal input to the other terminal and the second coefficient, and a ratio of the magnitudes of the second coefficients is constant; and
    a transmission tracking error acquirer that acquires a transmission tracking error generated by the frequency conversion based on the measuring system error factor recorded in said measuring system error factor recorder, and the first coefficients and the second coefficients output by said correction coefficient outputter.

The Examiner appears to relate S12a and S21a in Figure 2 of the '856 publication to the magnitudes of the second coefficients. However, the '856 publication does not teach or suggest, *inter alia*, that the "ratio of the magnitudes of the second coefficients is constant," as recited in the

independent claims. For this reason alone, the '856 publication does not teach each and every element of the claimed invention, as required under 35 U.S.C. § 102(b).

Furthermore, although the Examiner appears to relate f1 and f2 in Figure 21 of the '856 publication to the claimed second coefficients (*see, e.g.,* page 3 of the outstanding Office Action), Applicants submit that f1 and f2 do not correspond to the claimed second coefficients. On the contrary, according to page 53 of the machine-translation of the '856 publication, variables f1 and f2 are frequencies, not *"second coefficients* of a correction frequency" (as recited in the claims). Furthermore, Applicants note that the argument, relating f1 and f2 to the claimed second coefficients, is inconsistent with the Examiner's position that the claimed second coefficients correspond to S parameters S12a and S21a of Figure 2 of the '856 publication. Accordingly, Applicants respectfully submit that the '856 publication does not teach each and every element of the claimed invention, as required under 35 U.S.C. § 102(b), and respectfully request withdrawal of the outstanding rejections.

Applicants further note that claim 2 recites:

> The network analyzer according to claim 1, wherein if the first coefficients are M11' and M22', the second coefficients are M12' and M21', a signal input to a first terminal is a1, a signal output from the first terminal is b1, a signal input to a second terminal is a2, and a signal output from the second terminal is b2 in said correction frequency converting element,
> $b1 = M11' \times a1 + M12' \times a2$
> $b2 = M21' \times a1 + M22' \times a2$, and
> $|M12'|/|M21'|$ is constant.

In contrast, the '856 publication does not teach or even suggest, *inter alia*, that "$|M12'|/|M21'|$ is constant," wherein M12' and M21' are the second coefficients, for the reasons discussed above. Therefore, Applicants submit that the '856 publication does not teach each and every element of

claim 2, as required under 35 U.S.C. § 102(b), and respectfully request withdrawal of the outstanding rejections.

Furthermore, dependent claims 3-6 and 10-19 recite further patentable subject matter and are believed to be allowable for the reasons noted above in addition to reasons related to their own recitations. Consequently, Applicants respectfully request that the Examiner withdraw the outstanding rejections of the dependent claims and indicate their allowability.
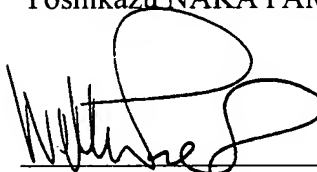
SUMMARY AND CONCLUSION

For the foregoing reasons, it is believed that all of the claims in this application are in condition for allowance, which action is respectfully requested.

If any extension of time is deemed to be necessary to maintain the pendency of the application, including any extension of time fees for entry of an Examiner's Amendment, the Patent and Trademark Office is hereby requested and authorization is hereby provided to charge any necessary fees to maintain the pendency of this application to Deposit Account No. 19-0089.

If the Examiner has any questions, or wishes to discuss this matter, the Examiner is respectfully invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Yoshikazu NAKAYAMA et al.

Bruce H. Bernstein
Reg. No. 29,027

William Pieprz
Reg. No. 33,630

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GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, Virginia 20191
(703) 716-1191